Legal Aid Manitoba
L'Aide Juridique du Manitoba

Eleventh Annual Report

March 31, 1983

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The Legal Aid Services Society of Manitoba

Annual Report

1983

ELEVENTH ANNUAL REPORT

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Fiscal Year Ending March 31, 1983

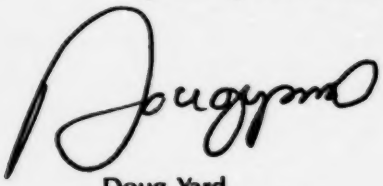
The Honourable Roland Penner, Q.C.
Attorney-General
Province of Manitoba
Room 104 — Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Sir:

Pursuant to Section 24 of the Legal Aid Services Society of Manitoba Act, I am pleased to submit the Eleventh Annual Report of the Society for the year ending March 31, 1983.

Detailed statistical information relating to clients, cases and costs is attached as Appendix A. The report of the Provincial Auditor is attached as Appendix B.

Respectfully submitted,



Doug Yard
Chairperson
Board of Directors

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General Observations

In the Tenth Annual Report for the fiscal year ending March 31, 1982, it was reported that formal applications for legal aid and legal aid certificates issued reached record levels, primarily as a result of the recession in the economy and record high unemployment. The no-growth economy continued through that year into early 1983 and unemployment remained at record high levels, so that the demand on legal aid services surpassed, by a wide-margin, the numbers reflected in that report. Formal applications for legal aid for the fiscal year ending March 31, 1983, reached 22,325 or an increase of 27.5% over the previous year, while the number of legal aid certificates issued reached 17,486, or an increase of 29% over the previous year. Of the 17,486 certificates issued, 9,985 were criminal certificates or 57.7% of the total. The number of certificates issued to the private bar was 14,335 or 82% of the total number of certificates issued. In the previous fiscal year, 78.8% of the total number of certificates issued to the private bar.

The number of people assisted through duty counselling services was 19,269 or an increase of 19% over last year, and the number of people who received informal advice increased by 35.8% to 20,256.

Budget

The Society's approved budget for the fiscal year ended March 31, 1983, was $5.9 million. Because of the greater than projected increase in demand for service and the large number of legal aid certificates issued to the private bar in the previous and current years, the Society found itself unable to pay bills submitted as of the beginning of January 1983. After several weeks withholding cheques, supplementary funds totalling $900,000 were provided which allowed bills to be processed and paid through to the end of the fiscal year. However, at the end of the year, the number of cases yet to be completed and paid totalled 11,738 as compared to 9,638 uncompleted cases as of March 31, 1982. Accordingly, bills that were usually processed and paid within 20 days after submission were now taking an average of 45 days for processing and payment.

With total government support exceeding $6.8 million and with another $100,000 of additional revenue generated, the Society expended close to $7 million in the year ended March 31, 1983. Of this amount, some $4.2 million was disbursed to the private bar for legal aid certificates and duty counselling services or 60% of the total. The cost of the Society's Community Law Centres was $1.84 million or 26% of the total disbursements, while the remaining 14% of the monies disbursed were attributed to administration and the costs associated with the newly established Public Interest Law Department.

After several years of collecting a $35.00 user fee, the Board of Directors of Legal Aid, with the approval of the Attorney-General, eliminated the user fee for all certificates issued after May 1, 1982. The fee was still being collected for certificates issued prior to that date and accordingly, the total revenue generated from this fee and from client contributions decreased only slightly. On the other hand, an agreement was reached with the Provincial Director of Child Welfare and all child caring agencies in the Province, whereby Legal Aid would be reimbursed for the cost of providing services to wards of child caring agencies. This agreement became effective as of November 1982 and over $10,000 was recovered for a small portion of the year.

Although the Provinces and the Federal Government were still unable to conclude a new cost-sharing agreement on criminal legal aid, the Agreement which expired as of March 31, 1981, was again extended for a further year with the hope of a new agreement being concluded sometime in 1983. In this past year, the Province recovered $1.29 million from the federal government for criminal legal aid expenditures for the year ending March 31, 1982. During the year, discussions were initiated with the Federal Department of Health and Welfare and the Provincial Department of Community Services and Corrections, toward an agreement whereby the Federal Government would reimburse the Province for the cost of providing civil legal aid for people considered in need. Regulations under the Canada Assistance Plan have allowed the federal government to reach similar agreements with other provinces and it is hoped that an agreement can be concluded and additional revenues generated sometime after April 1, 1983.

Financial Eligibility Guidelines

As of April 1, 1982, the Society increased its financial eligibility guidelines at levels just below the inflation rate for the previous year. The new guidelines that took effect as of that date were as follows:

Family Size	Allowable Gross Annual Income
1	$ 9,500
2	11,100
3	12,200
4	13,300
5	14,400
6	15,500
7	16,600

Although the Society was able, in most years, to increase the guidelines by amounts almost equal to the increases in the consumer price index, the Society nevertheless had maintained the same method of determining financial eligibility for over ten years and became increasingly concerned about the apparent increase in the number of people who were being refused legal aid assistance while still demonstrating an apparent inability to afford to retain counsel from their own funds. A comparison to recently published Statistics Canada poverty levels indicated, that even with the increased financial guidelines that took effect as of April 1, 1982, that Legal Aid's guidelines at certain family size levels were $3,000 - $6,000 below recognized poverty levels. Because of those concerns, an in-depth study of the Society's methods of determining eligibility and of people who were being refused legal aid because of income, was initiated at a cost of $50,000. Of this amount, the Federal Department of Justice, Special Projects Legal Aid, contributed $40,000. Just prior to the writing of this report, the study was completed and submitted to the Board of Legal Aid which is still studying its conclusions and recommendations. Because of this study, it is anticipated that discussions will be initiated with the Attorney-General about the Society's mandate in providing legal aid services to people who are truly unable to afford to pay for the cost of lawyers.

Tariff and Fees for Service

A new tariff of fees was introduced and took effect as of April 1, 1981. There was some hope and expectation that the Society would be able to provide for some tariff increase as of April 1, 1982, however, the unexpected increase in the demand for service, resulting in significantly higher government outlays for legal aid expenditures, forced a delay in considering a tariff increase. However, during the course of the year, ongoing discussions were held between the Tariff Committee of the Board and the Legal Aid Liaison Committee of the Law Society of Manitoba, which resulted in proposals being submitted which would alter the structure of the tariff and increase the hours allowable under maximum preparation fees. The Board was in general agreement with the concerns expressed by the Liaison Committee about the general inadequacy of the domestic tariff and it was agreed that the first priority for future tariff adjustments should be in that area.

In the fiscal year ended March 31, 1983, there were 775 lawyers registered on legal aid panels (747 private bar and 28 staff) of which 612 were registered on Winnipeg and Central Manitoba panels and 163 on panels serving the Northern, Western, Selkirk-Interlake and Parklands areas of the Province. Out of 747 private bar layers on legal aid panels, 488 received payment on account of billings submitted in the year, of which 24 received in excess of $40,000. The analysis of lawyers who received payment in various dollar categories is as follows:

Dollars	Number of Lawyers	Percentage
0 - 1,000	162	33.2
1,000 - 5,000	153	31.3
5,000 - 10,000	62	12.7
10,000 - 20,000	52	10.6
20,000 - 40,000	35	7.2
40,000 - 60,000	13	2.7
60,000 - 80,000	7	1.4
80,000 - 100,000	1	.2
100,000 & Over	3	.7
	488	100.0

Board of Directors

As of April 1, 1982, the Board of Directors consisted of the following people:

Norman Larsen (chairperson)
Naomi Levine (vice-chairperson)
Heather Leonoff
Robb Tonn
Joe Mullally
Diane Jones
Rose-marie Cuddy
Judy Cook Hannibal
Lena Pfund
Reverend Art Seaman
Chief Louis Stevenson*
Tom Wood**

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* Resigned as of July 1982

** Resigned as of December 1982

Mr. Larsen resigned as Chairperson as of January 1, 1983 and was replaced, on an acting basis, by Naomi Levine. On March 18, 1983, a new Board of Directors was appointed consisting of the following people:

Doug Yard (chairperson)
Randy McNicol (vice-chairperson)
Robb Tonn
Judy Cook Hannibal
Rose-marie Cuddy
Leonard Lucas
Rod Stephenson
Aaron Berg
Audreen Hourie
Vicki Francis
Nelson Thibault

During the year, the Board considered 193 refusal appeals (160 in the previous year), which resulted in 40 people being granted legal aid certificates (31 in the previous year). A total of 117 taxation appeals were considered (79 in the previous year) of which 47 were granted some increase over the original taxation (57 in the previous year).

Board Committees were extremely active in the year and reference has already been made to the work of the Tariff Committee. During the year, the Society's Community Law Centre Committee met on many occasions to review the mandate and work of Community Law Centres and help organize a staff retreat held on January 7, 1983. The Society's Regulations Committee and Personnel Committee were also active in the year and held several meetings.

Provincial Legal Aid

During the year, the Society maintained close contact and liaison with other provincial legal aid programs and officials of Legal Aid Manitoba attended the annual meeting of the Association of Legal Aid Plans of Canada held in Whitehorse, Yukon in June 1982. At that meeting, the provincial legal aid directors decided to wind-up the operations of the National Legal Aid Research Centre, with the Centre to be dissolved as of June 30, 1983.

During the year, the Society maintained its reciprocal agreements with other legal aid plans in civil matters and during the year, the number of requests from other provinces for appointment of counsel in Manitoba (with last year's numbers in brackets), were as follows:

Alberta	—	10	(10)
British Columbia	—	27	(17)
Nova Scotia	—	2	(3)
Ontario	—	15	(17)
Quebec	—	2	(1)
Saskatchewan	—	11	(15)
Yukon	—	2	(nil)
Northwest Territories	—	2	(nil)
New Brunswick	—	1	(nil)

For a total of 72 as compared to 63 for the fiscal year ended March 31, 1982.

Requests made by Legal Aid to other provincial plans for appointment of counsel in those jurisdictions (with last year's numbers in brackets) were as follows:

Alberta	—	39	(37)
British Columbia	—	36	(17)
Nova Scotia	—	4	(2)
New Brunswick	—	2	(nil)
Ontario	—	36	(41)
Saskatchewan	—	27	(19)
Newfoundland	—	3	(nil)
Yukon	—	1	(nil)
Northwest Territories	—	1	(nil)
Quebec	—	3	(2)

For a total of 152 compared to 118 for the year ended March 31, 1982.

Public Interest Law

Over the years, the Society has, from time to time, represented various groups and organizations on issues of public interest. Group representation, which was limited, was restricted to staff representation in the Community Law Centres. Recognizing the benefits to be derived from greater involvement with groups and organizations in the community and particularly groups representing the interests of low income people, the Society's Act was amended as of June 1982 to clearly provide a mandate for Legal Aid to represent groups and organizations, primarily on consumer and environmental issues and on matters which generally affect low income people. Appointment of counsel would not be restricted to staff solicitors.

Because of the new mandate, the Society established a Public Interest Law Department and appointed Mr. Arne Peltz as its first director. Mr. Peltz took on over a dozen cases of significant public concern, while at the same time the Board developed and distributed guidelines for group eligibility. Discussions were initiated with the Federal Department of Justice for an evaluation to be conducted of the new department after two years of operation. However, it was concluded that in order to conduct a proper evaluation, it was necessary to increase the case load of the department and therefore enlarge the staff. Accordingly, the Department of Justice agreed to provide Legal Aid with $64,000 of funds as of April 1, 1983, which will allow the department to hire a second lawyer and a para-legal.

Community Legal Services

While the average caseload intake of staff lawyers increased slightly from 11.3 new cases per month to 11.6, and the total caseload increased from 2,869 to 3,151, dramatic increases occurred in demands for advice and duty counsel services at the Community Law Centres in the 1982/83 fiscal year. The total number of people assisted through advice and information rose from 14,264 in the previous year to 19,596, an increase of 37.5%. Thirteen thousand two hundred and sixty-four (13,264) clients were assisted by staff duty counsel in 1982/83 fiscal year as compared to 11,511 in the previous year. In total, over 35,000 people were assisted by the Community Law Centres staff.

Staff turnover at the Community Law Centres was minimal over the year and as a result the average experience of the staff lawyers increased. Richard Thompson, Area Director for the Parklands area and Supervising Attorney for the Dauphin Community Law Centre, resigned upon his appointment as a part-time judge and was replaced by Dan Jamieson.

In May of 1982, the Board of Directors of the Society decided to disband the existing Citizen Advisory Committees. Legal Aid wishes to express its thanks to the Citizen Advisors who have contributed time and energy over the years to the development of the Community Law Centres.

A number of planning initiatives were commenced in the year. Individual offices held planning sessions and developed goals and objectives for themselves. The Board of Directors held a special meeting directed to developing directions for the Law Centres as a whole. A general staff meeting was held to review and discuss the Board's initiatives.

Staff continued their work in the areas of public legal education, community outreach and law reform. Individual staff members contributed to many community groups and organizations acting as liaison persons and serving as members of community boards.

A staff committee was established to develop initiatives in the mental health area. A new, very successful, duty counsel service for juveniles was established in Winnipeg at the Juvenile Pre-Trial Court. Lasem staff continued to supervise the University Law Centre, which assisted approximately 640 people in areas such as landlord and tenant law, small claims problems, labour disputes and less serious criminal matters.

Summary

Having just concluded a year of unparalleled growth and demand for legal aid services and with the prospect of slow economic recovery, there is some anticipation that the high demand for service over the past two years will begin to level off. There were also discussions at year end with regard to greater staff efficiency and a reorganization of the Society's duty counselling services, which may also result in certain cost savings. That however, is tempered with the fact that unemployment continues to remain at high levels and with the fact that recent and anticipated legislative initiatives such as the Charter of Rights and Freedoms and the new Young Offenders Act will probably increase the demand for service in some areas and therefore the total cost of legal aid.

In conclusion, the Society through its Board of Directors would like to express its appreciation to its staff, the participating bar and the government for their continued dedication to the principles of legal aid and for their support.

APPENDIX "A"

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Legal Aid Activity by Area

For the Year Ended March 31, 1983

(With the 1982 Comparisons in Parenthesis)

Area	Applications For Legal Aid Certificates	Applications Refused	Certificates Issued Civil	Certificates Issued Criminal	Certificates Cancelled	Persons Assisted by Duty Counsel
Winnipeg	17,340 (13,623)	4,048 (3,371)	5,555 (4,112)	7,737 (6,140)	1,062 (1,027)	14,231 (11,773)
Brandon	2,022 (1,559)	375 (282)	796 (644)	851 (633)	5 (2)	1,804 (1,577)
Dauphin	984 (761)	51 (34)	346 (283)	587 (444)	Nil (3)	733 (680)
Selkirk	920 (706)	213 (165)	324 (258)	383 (283)	2 (Nil)	312 (259)
The Pas & Thompson	1,059 (853)	152 (120)	480 (408)	427 (325)	4 (2)	2,189 (1,896)
Provincial Total	22,325 (17,502)	4,839 (3,972)	7,501 (5,705)	9,985 (7,825)	1,073 (1,034)	19,269 (16,185)

NOTES:

1. *In the fiscal year ended March 31, 1983 there was a total of 17,486 (13,530) certificates issued, including certificates issued to Community Law Centres as follows:*

Ellen Street	*619*	*(559)*
Main Street	*853*	*(699)*
LaSem	*491*	*(500)*
Head Office	*56*	*(49)*
Westman	*225*	*(252)*
Parklands	*291*	*(292)*
The Pas & Thompson	*616*	*(518)*
	3,151	*(2,869)*

2. *In the fiscal year ended March 31, 1983 there was a total of 19,269 (16,185) people assisted by Duty Counselling services; of this total 13,264 were assisted by staff lawyers through the following Community Law Centres:*

Winnipeg — Ellen Street	*3,014*	
— Main Street	*4,123*	
— LaSem	*2,486*	*9,623*
Westman		*1,226*
Parklands		*591*
The Pas & Thompson		*1,824*
		13,264

3. *For the fiscal year ended March 31, 1983* **21.7%** *(22.7%) of the applicants for Legal Aid were refused.*

4. *For the year ended March 31, 1983 there was a total of* **20,256** *(14,925) telephone and drop-in inquiries broken down as follows:*

Winnipeg — Ellen Street	*2,521*	*(2,368)*
— Main Street	*4,999*	*(3,489)*
— LaSem	*1,932*	*(1,869)*
— University	*639*	*(646)*
Brandon	*3,175*	*(2,691)*
Dauphin	*4,863*	*(2,409)*
Selkirk	*21*	*(16)*
The Pas & Thompson	*2,106*	*(1,437)*
	20,256	*(14,925)*

For the year ending March 31, 1983 there was a total of **55,938** *(43,606) people assisted by all Centres, either on a formal or informal basis.*

A total of **443,754** *people have been assisted in the period September 1, 1972 to March 31, 1983.*

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Analysis of Certificates Issued For the Year Ended March 31, 1983

(With the 1982 Comparisons in Parenthesis)

Certificate Classification	Private Bar	Law Centres	Totals
Criminal			
Homicide and Death by Criminal Negligence	46 (36)	7 (7)	53 (43)
Attempted Homicide and Wounding	99 (62)	15 (6)	114 (68)
Rape and Other Sexual Offences	191 (148)	50 (37)	241 (185)
Possession of Offensive Weapons	316 (257)	80 (73)	396 (330)
Assault	877 (571)	183 (126)	1,060 (697)
Contributing to Juvenile Delinquency	22 (10)	6 (2)	28 (12)
Robbery	291 (320)	30 (29)	321 (349)
Theft	1,711 (1,221)	228 (174)	1,939 (1,395)
Break and Enter	1,434 (1,204)	243 (254)	1,677 (1,458)
Possession of Stolen Property	394 (264)	31 (28)	425 (292)
Arson	43 (38)	10 (8)	53 (46)
Immigration	28 (27)	7 (8)	35 (35)
Fraud and False Pretenses	623 (457)	42 (72)	665 (529)
Narcotics	345 (311)	38 (41)	383 (352)
Motor Vehicle Offences	827 (540)	160 (110)	987 (650)
Breach of Probation and Escape Custody	473 (418)	43 (51)	516 (469)
Juvenile Transfers	200 (181)	27 (32)	227 (213)
Appeals — Crown	30 (21)	4 (3)	34 (24)
— Client	129 (128)	18 (19)	147 (147)
Parole	13 (22)	3 (4)	16 (26)
Other	555 (407)	113 (100)	668 (507)
	8,647 (6,643)	1,338 (1,184)	9,985 (7,827)

Certificate Classification	Private Bar	Law Centres	Totals
Civil			
Divorce	1,204 (879)	408 (370)	1,612 (1,249)
Separation	1,878 (1,554)	371 (481)	2,249 (2,035)
Variation Applications	738 (411)	148 (93)	886 (504)
Custody	753 (532)	229 (190)	982 (722)
Adoption	40 (30)	89 (52)	129 (82)
Filiation	188 (118)	42 (54)	230 (172)
Immigration	44 (36)	18 (23)	62 (59)
U.I.C. & Worker's Compensation	16 (13)	21 (21)	37 (34)
Welfare Matters	23 (24)	52 (57)	75 (81)
Damage and Property Claims	246 (134)	154 (119)	400 (253)
Landlord and Tenant	31 (9)	16 (7)	47 (16)
Appeals	102 (67)	41 (55)	143 (122)
Other	396 (198)	192 (143)	588 (341)
Advice	29 (13)	32 (20)	61 (33)
	5,688 (4,018)	1,813 (1,685)	7,501 (5,703)

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Analysis of Completed Cases by Type of Aid

(Private Bar Only)

For the Year Ended March 31, 1983

(With 1982 Comparisons in Parenthesis)

Type of Aid	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Criminal			
Homicide and Death by Criminal Negligence	53 (34)	$ 157,680. (81,551.)	$ 2,975.09 (2,398.55)
Attempted Homicide and Wounding	83 (73)	54,456. (49,434.)	656.09 (677.17)
Rape and Other Sexual Offences	163 (140)	95,482. (83,358.)	585.77 (595.41)
Possession of Offensive Weapons	326 (229)	115,077. (63,429.)	352.99 (276.98)
Assault	568 (484)	196,645. (149,032.)	346.20 (307.91)
Contributing to Juvenile Delinquency	15 (7)	7,405. (1,826.)	493.66 (260.85)
Robbery	309 (324)	143,531. (122,907.)	464.50 (379.34)
Theft	1,428 (1,066)	383,343. (258,035.)	268.44 (242.05)
Break and Enter	1,310 (1,018)	419,398. (272,136.)	320.15 (267.32)
Possession of Stolen Property	321 (236)	101,016. (60,552.)	314.69 (256.57)
Arson	49 (39)	23,753. (29,033.)	484.75 (744.43)
Immigration	29 (24)	6,132. (3,718.)	211.44 (154.91)
Fraud and False Pretenses	535 (381)	178,400. (98,304.)	333.45 (258.01)
Narcotics — Indictable	214 (189)	68,277. (70,175.)	319.05 (371.29)
Narcotics — Non-Indictable	117 (98)	24,527. (20,470.)	209.63 (208.87)
Motor Vehicle Offences — Federal Statutes	491 (312)	138,641. (76,506.)	282.36 (245.21)
— Provincial Statutes	199 (177)	50,644. (39,704.)	254.49 (224.31)
Breach of Probation and Escape Custody	439 (311)	117,508. (76,548.)	267.67 (246.13)
Juvenile Transfers	193 (183)	74,801. (61,023.)	387.56 (333.45)

Type of Aid	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Appeals — Crown	19 (20)	7,119. (6,581.)	374.68 (329.05)
— Client	114 (110)	76,960. (69,210.)	675.08 (629.18)
Parole	23 (11)	4,927. (3,119.)	214.21 (283.54)
Other	433 (292)	137,769. (79,304.)	318.17 (271.58)
	7,431 (5,758)	2,583,491. (1,775,955.)	347.66 (308.43)
Civil			
Divorce	1,004 (856)	338,056. (243,058.)	336.70 (283.94)
Separation	1,700 (1,660)	421,638. (361,418.)	248.02 (217.72)
Variation Applications	653 (406)	207,144. (96,884.)	317.21 (238.63)
Custody	676 (407)	241,469. (130,120.)	357.20 (319.70)
Adoption	36 (31)	12,021. (5,519.)	333.91 (178.03)
Filiation	137 (109)	41,999. (23,602.)	306.56 (216.53)
Immigration	30 (29)	6,447. (5,871.)	214.90 (202.44)
U.I.C. & Worker's Compensation	11 (11)	1,451. (2,190.)	131.90 (199.09)
Welfare Matters	21 (12)	4,097. (2,148.)	195.09 (179.00)
Damage and Property Claims	168 (151)	63,375. (61,512.)	377.23 (407.36)
Appeals	104 (47)	68,555. (30,134.)	659.18 (641.14)
Other	193 (109)	48,809. (29,419.)	252.89 (269.89)
	4,733 (3,828)	1,455,061. (991,875.)	307.42 (259.11)
Legal Advice	42 (37)	4,966. (3,567.)	118.23 (96.40)
Total Completed Cases	12,206 (9,623)	4,043,518. (2,771,397.)	331.27 (287.99)

NOTE: *As at March 31, 1983 there were approximately 11,738 cases yet to be completed and paid.*

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Legal Aid Fees and Disbursements

(Private Bar Only)

For the Year Ended March 31, 1983

(With the 1982 Comparisons in Parenthesis)

	Fees	Disbursements	Total	Completed Cases	Average Cost Per Case
Criminal					
Winnipeg	$ 1,988,159. (1,412,404.)	$ 112,138. (80,961.)	$ 2,100,297. (1,493,365.)	5,877 (4,702)	$ 357.37 (317.60)
Brandon	172,239. (105,075.)	5,578. (5,051.)	177,817. (110,126.)	661 (451)	269.01 (244.18)
Dauphin	121,749. (75,221.)	3,934. (3,102.)	125,683. (78,323.)	395 (281)	318.18 (278.72)
Selkirk	101,117. (54,476.)	9,132. (3,696.)	110,249. (58,172.)	337 (219)	327.14 (265.62)
The Pas & Thompson	64,465. (33,975.)	4,980. (1,995.)	69,445. (35,970.)	161 (105)	431.33 (342.57)
Civil					
Winnipeg	964,670. (656,772.)	174,189. (110,862.)	1,138,859. (767,634.)	3,550 (2,87[illegible])	320.80 (267.46)
Brandon	135,468. (85,289.)	27,194. (14,839.)	162,662. (100,128.)	594 (457)	273.84 (219.09)
Dauphin	43,938. (19,813.)	9,451. (3,052.)	53,389. (22,865.)	168 (92)	317.79 (248.53)
Selkirk	51,489. (52,926.)	12,748. (10,363.)	64,237. (63,289.)	284 (307)	226.18 (206.15)
The Pas & Thompson	31,106. (31,884.)	4,808. (6,074.)	35,914. (37,958.)	137 (102)	262.14 (372.13)
Advice					
Winnipeg	4,043. (2,965.)	129. (116.)	4,172. (3,081.)	35 (28)	119.20 (110.03)
Other Areas	773 (467.)	21 (19.)	794 (486.)	7 (9)	113.42 (54.00)
Total Completed Cases	$ 3,679,216. (2,531,267.)	$ 364,302. (240,130.)	$ 4,043,518. (2,771,397.)	12,206 (9,623)	$ 331.27 (287.99)
Pre-Completion Disbursements	(Nil)	99,953. (50,689.)	99,953. (50,689.)		
	$ 3,679,216. (2,531,267.)	$ 464,255. (290,819.)	$ 4,143,471. (2,822,086.)		

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Analysis of Completed Cases by Court

(Private Bar Only)

For the Year Ended March 31, 1983

(With 1982 Comparisons in Parenthesis)

Court	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Provincial and City Judges (Criminal Division)	5,720 (4,292)	$ 1,717,772. (1,153,146.)	$ 300.30 (268.67)
Juvenile	843 (679)	269,709. (198,855.)	319.93 (292.86)
Family	1,613 (1,507)	587,380. (464,181.)	364.15 (308.01)
County	538 (389)	383,444. (246,189.)	712.72 (632.87)
Queen's Bench	1,213 (829)	689,021. (453,889.)	568.03 (547.51)
Surrogate	2 (7)	777. (8,062.)	388.50 (1,151.71)
Court of Appeal	132 (103)	126,712. (75,458.)	959.93 (732.60)
Supreme Court	11 (8)	18,197. (14,606.)	1,654.27 (1,825.75)
Review Boards	98 (65)	22,755. (15,526.)	232.19 (238.86)
Matters Not Resulting in Trial Proceedings	1,994 (1,707)	222,785. (137,918.)	111.72 (80.79)
Legal Advice Only	42 (37)	4,966. (3,567.)	118.23 (96.40)
Total Completed Cases	12,206 (9,623)	$ 4,043,518. (2,771,397.)	$ 331.27 (287.99)

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Duty Counsel Fees and Disbursements

(Private Bar Only)

For the Year Ended March 31, 1983

(With 1982 Comparisons in Parenthesis)

	Persons Assisted	Total Fees and Disbursements	Average Cost Per Person Assisted
Winnipeg	2,928 (2,192)	$ 48,228. (35,284.)	$ 16.47 (16.09)
Brandon	578 (474)	12,100. (7,679.)	20.93 (16.20)
Selkirk	312 (264)	8,570. (9,813.)	27.46 (37.17)
The Pas & Thompson	382 (372)	25,512. (20,413.)	66.78 (54.87)
Dauphin	82 (160)	2,129. (1,169.)	25.96 (7.30)
Total Payments	4,282 (3,462)	$ 96,539. (74,358.)	$ 22.54 (21.47)

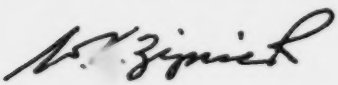
EXHIBIT "A"

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

REPORT OF THE PROVINCIAL AUDITOR'S OFFICE

We have examined the financial statements, being Exhibits A and B and Schedules 1 to 3 of The Legal Aid Services Society of Manitoba for the fiscal year ended March 31, 1983. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as we considered necessary in the circumstances.

In our opinion, these financial statements present fairly the position of the Fund of The Legal Aid Services Society of Manitoba as at March 31, 1983 and the results of its operations for the year ended in accordance with the accounting policies stated in Note 1, Exhibit A, applied on a basis consistent with that of the preceding year.



W.K. Ziprick, C.A.,
Provincial Auditor.

August 30, 1983,
Winnipeg, Manitoba.

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Fund
as at March 31, 1983
(with 1982 figures for comparison)

	1983	1982
Fund balance beginning of year	$ 17,733	$ 6,010
Excess of disbursements over (under) receipts, Exhibit B	7,691	(11,723)
Fund balance end of year	$ 10,042	$ 17,733
Fund balance represented by:		
Cash on hand and in bank	$ 91,880	$ 39,106
Outstanding reimbursement from the Province of Manitoba	—	925
Cheques issued and outstanding	(81,838)	(22,298)
Fund balance end of year	$ 10,042	$ 17,733

1. **Significant Accounting Policies**

   a. The Society presents its financial statements on a cash basis, with the exception of accounting for grants from the Province of Manitoba. With respect to these grants, the Society takes into receipts amounts due from the Province for payments for private bar fees and disbursements made by the Society prior to March 31 of each year, when these are reimbursed by the Province out of funds voted for the year then ended. Additional information relating to the Society's operations concerning significant commitments, liabilities and receivables are presented below:

	March 31 1983	1982
Estimated total commitments for future billings on outstanding legal aid certificates	$ 3,102,000	$ 2,285,000
Approximate liability for legal aid certificate billings received but unpaid	$ 422,000	$ 325,000
Approximate liability for duty counsel billings received but unpaid	11,000	11,000
Approximate liability for unpaid general and administrative, Community Law Centre and Public Interest Department operating expenses	179,000	65,000
	$ 612,000	$ 401,000
Accounts receivable respecting contributions and judgements (without allowance for doubtful accounts)	$ 133,000	$ 107,000

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Fund
as at March 31, 1983

(with 1982 figures for comparison)

1. Significant Accounting Policies (continued)

b. In addition to agreements to pay, which are based on the client's ability to pay, contributions from clients also include a user fee of approximately $35.00 per certificate, except in cases where the client is receiving social assistance payments. As well, Area Directors have the discretion to waive the fee in cases of extreme hardship. This user fee is payable in advance and if it is collected by a private bar solicitor acting on behalf of the Society, it is recognized in the Society's records at the time of settlement of the private bar solicitor's billings. The policy of collecting a user fee was abolished effective May 1, 1982.

c. In accordance with Manitoba Regulations 106/72 and 112/81, the Board of the Society may order that a holdback respecting private bar fees be established. Acting under this authority, the Board established holdbacks of 15% in respect of legal aid certificates approved during the year ended March 31, 1979 and 10% during the year ended March 31, 1980. No holdbacks were applied to legal aid certificates approved since the year ended March 31, 1980. The holdback is applicable regardless of when the billings for services are rendered. The holdback is payable only if funds are available at the end of the fiscal year in which the fee is actually paid. Holdbacks applied to billings paid during the fiscal year ended March 31, 1983 will not be paid by the Society.

2. Wards of Agencies

Effective July 5, 1982, in accordance with signed agreements, the Society provides services to wards of agencies if they would otherwise be eligible for legal aid. The Society recovers the cost of the legal aid provided from the agencies.

3. Settlement of Claim

The lawsuit filed against the Society by a former client, claiming negligence of a former staff lawyer, was settled, out of court, with the Society paying $15,000 to the claimant and $500 in costs. The Society subsequently recovered $4,000 from the former staff lawyer.

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Fund
as at March 31, 1983

(with 1982 figures for comparison)

4. Public Interest Department

The Society established a Public Interest Department in May, 1982 to furnish legal aid to groups in matters that involve objectives or interests common to members of the group and relating to an issue of public interest such as, but not restricted to, consumer or environmental issues.

5. Financial Eligibility Study

The Society has entered into an agreement with the Federal Department of Justice to conduct a study of financial eligibility criteria for legal aid recipients of Manitoba. The Society is to contribute $10,000 as well as to provide services and facilities to the researchers. The Society paid $5,000 during the fiscal year ended March 31, 1983 and will pay another $5,000 upon completion of the study. The Federal Department of Justice's contribution towards the study is $40,000.

6. General and Administrative Expenses

General and administrative expenses incurred to provide services of the Public Interest Department and the Society's other programs are reflected in the Schedule of General and Administrative Expenses.

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Receipts and Disbursements for the year ended March 31, 1983

(with 1982 figures for comparison)

	1983	1982
Receipts:		
Province of Manitoba — grants (Note 1.a)	$ 4,877,700	$ 3,380,941
— salaries and other payments	1,951,992	1,673,539
Contributions from clients (Note 1.b)	107,258	133,095
Judgment costs and settlements	25,555	24,757
Recoveries — wards of agencies (Note 2)	6,531	—
Recovery — settlement of claim (Note 3)	4,000	—
Other	405	185
Total receipts	6,973,441	5,212,517
Disbursements:		
Private bar fees and disbursements:		
Legal aid certificates	4,081,586	2,784,815
Less: certificate holdbacks (Note 1.c)	9,703	26,751
	4,071,883	2,758,064
Duty counsel services	116,244	89,691
	4,188,127	2,847,755
Community Law Centres, Schedule 1	1,839,724	1,654,416
Public Interest Department, Schedule 2 (Note 4)	56,395	—
General and administrative, Schedule 3	863,580	683,435
Contribution to Law Society — Law Phone-In program	17,806	15,188
Settlement of claim (Note 3)	15,500	—
Total disbursements	6,981,132	5,200,794
Excess of disbursements over (under) receipts, Exhibit A	$ 7,691	$ (11,723)

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Community Law Centres
Schedule of Operating Expenses
for the year ended March 31, 1983

(with 1982 figures for comparison)

	1983	1982
Advertising and information	$ 2,007	$ 330
Advisory committee fees and expenses	277	1,870
Certificate disbursements	99,251	87,581
Duplicating services and supplies	20,688	19,813
Fly-in duty counsel program — travel	45,730	33,479
Furniture, equipment and leasehold improvements — net of disposals	4,846	3,360
Health and post secondary education tax levy	10,641	—
Library	22,621	19,417
Maintenance	16,208	12,652
Meetings and seminars	10,133	7,956
Office and postage	64,515	49,754
Rent	80,573	80,468
Salaries and benefits — professional	1,040,206	990,226
— clerical	303,703	241,936
Staff recruitment	2,017	880
Stationery and forms	2,682	2,501
Sundry	433	629
Telephone	47,779	42,758
Travel	52,017	47,706
Utilities	13,397	11,100
Total, Exhibit B	$ 1,839,724	$ 1,654,416

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Public Interest Department
Schedule of Operating Expenses
for the year ended March 31, 1983

(with 1982 figures for comparison)

	1983	1982
Expert witnesses and consultants	$ 3,541	$ —
Furniture, equipment and leasehold improvements — net of disposals	2,382	—
Health and post secondary education tax levy	457	—
Meetings and seminars	136	—
Salaries and benefits	46,254	—
Sundry	2,877	—
Travel	748	—
Total, Exhibit B	$ 56,395	$ —

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Schedule of General and Administrative Expenses for the year ended March 31, 1983

(with 1982 figures for comparison)

	1983	1982
Advertising and information	$ 1,043	$ 1,600
Collections	4,858	1,698
Data processing	1,585	2,004
Directors' fees and expenses	30,453	8,344
Duplicating services and supplies	6,645	5,825
Financial eligibility study (Note 5)	5,000	—
Furniture, equipment and leasehold improvements — net of disposals	15,450	4,239
Health and post secondary education tax levy	4,153	—
Library	6,591	6,953
Maintenance	1,924	1,791
Meetings and seminars	6,021	3,267
Office and postage	53,124	36,925
Professional fees	16,534	18,389
Rent	49,708	46,881
Salaries, honoraria and benefits	608,552	506,608
Staff recruitment	—	575
Stationery and forms	13,084	13,523
Sundry	9,460	368
Telephone	17,083	12,189
Travel	9,907	10,034
Utilities	2,405	2,222
Total, Exhibit B	$ 863,580	$ 683,435